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June 24, 2013

Anthony Herman  
Office of the General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463  
Attn: Jeff Jordan

RE: MUR 6734 – Robert Reynolds

Dear Mr. Herman:

We are writing on behalf of Robert Reynolds in response to a complaint filed by Citizens for Responsibility in Washington, Melanie Sloan, the Campaign Legal Center, and Paul S. Ryan (the "Complaint") alleging that Mr. Reynolds made excessive political contributions in 2011 and 2012.

During the period between January 1, 2011 and December 31, 2012, Mr. Reynolds made political contributions that inadvertently exceeded the biennial contribution limits under the Federal Election Campaign Act (FECA) ("Biennial Limits"). Until the publication of the article in *Huffington Post* on May 3, 2013 that lead to the Complaint, Mr. Reynolds had no knowledge that his contributions were subject to Biennial Limits. While he was aware of, and has at all times complied with, the per election and annual limits on contributions to individual candidate committees, party committees, and political action committees, Mr. Reynolds was simply unaware of the existence of the Biennial Limits at the time he made the contributions.

Promptly upon learning of these limits, Mr. Reynolds instructed counsel to seek reimbursements from various committees in order to bring his contributions within the Biennial Limits for the 2011-2012 period. We have already contacted the necessary committees and have obtained assurances that the required refunds are being processed. We expect that Mr. Reynolds will receive the returned contributions shortly. We have received several already.

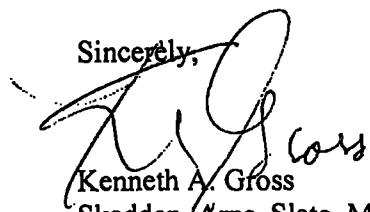
Furthermore, Mr. Reynolds is now aware of and understands such limits. While he intends to remain a contributor, he is committed to doing so within the bounds of FECA and all other applicable law.

In light of the facts that Mr. Reynolds was until recently unaware of the Biennial Limits, has promptly sought to mitigate his error by requesting refunds to bring his contributions in line with such limits, and is now aware of and committed to complying with all applicable limits, we respectfully request that the Commission take no further action on this matter upon being notified that the refunds sought have been obtained. In the alternative, we request that this matter be resolved under the Alternative Dispute Resolution procedure.

Finally, we note that the Supreme Court of the United States has recently agreed to hear *McCutcheon v. Federal Election Commission*, which presents the question of the constitutionality of the Biennial Limits. Because the constitutionality of these limits is the subject of imminent litigation before the Court, we respectfully request that the Commission delay any decision on the matter until *McCutcheon* has been decided. If *McCutcheon* prevails in that case, Mr. Reynolds will have committed no violation of law.

Please do not hesitate to contact us with any questions or requests for additional information.

Sincerely,

  
Kenneth A. Gross

Skadden, Arps, Slate, Meagher & Flom LLP  
Attorneys for Robert Reynolds